



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AF/CH
1632
A

Application of: Friedrich *et al.*

Serial No.: 09/773,476

Group Art Unit: 1632

Filed: January 31, 2001

Examiner: Scott David
Priebe

For: Novel Mutated Mammalian Cells and Animals

Atty Docket No.: LEX-0126-USA

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
Alexandria, VA 22313

Sir:


Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed July 1, 2004 ("Final Action"), finally rejecting claims 1, 2 and 4-7. The fee as required under 37 C.F.R. § 1.17(b) for filing this Notice of Appeal is \$340.00, and the Commissioner is hereby authorized to deduct this fee from Applicants' Representatives' Deposit Account No. 50-0892.

A Petition for an Extension of Time of two months to and including December 1, 2004, and authorization to deduct the fee as required under 37 C.F.R. § 1.17(a)(2) from Applicants' representatives Deposit Account is being concurrently submitted. The Notice is thus timely filed, and Applicants believe no fees in addition to the fees for filing the Notice of Appeal and the extension fee authorized in the response to the Final Office Action are due in connection with this communication. However, should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason related to this communication, the Commissioner is authorized to consider this document a petition, and charge any underpayment or credit any overpayment to Applicants' Representatives' Deposit Account No. 50-0892.

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Respectfully submitted,

December 1, 2004
Date


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